

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
FILE NO: 1:25 CV 58-MOC-WCM**

CHRISTOPHER JONAS BROOKS
PLAINTIFF

V.

ASHEVILLE DETOX LLC et al.
DEFENDENT

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**Exhibit A:
Proposed Surreply**

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**Exhibit A:
PLAINTIFF'S PROPOSED
SURREPLY TO DEFENDANTS'
REPLY**

NOW COMES Plaintiff Christopher Jonas Brooks, pro se, pursuant to the Court's Order granting leave, and responds to new arguments and exhibits raised for the first time in Defendants' Reply:

I. DEFENDANTS IMPROPERLY WEAPONIZED RULE 11 SAFE HARBOR COMMUNICATIONS

Defendants' submission of Plaintiff's Rule 11 safe harbor materials as "Exhibit A" violates:

- **FRE 408** (protecting settlement communications);
- **Judicial ethics** by misusing safe harbor materials to distort the record¹;
- **Rule 11's purpose** of pre-filing resolution.

II. DEFENDANTS DECEPTIVELY BUNDLED DISTINCT COMMUNICATIONS

Defendants misled the Court by combining two legally distinct documents into a single "Exhibit A":

1. Plaintiff's **Rule 11(c)(2) Safe Harbor Notice** (served solely to comply with the 21-day pre-filing requirement);
2. Plaintiff's **Separate Settlement Proposal** (an independent good-faith offer under FRE 408).

This deliberate conflation materially distorts the record and prejudices Plaintiff.

III. PLAINTIFF'S CONDUCT REMAINS PROPER

Plaintiff strictly complied with **FRCP 11(b)** and **Local Rule 7.1**² certification requirements. All filings responded to Defendants' document fabrication.

IV. CONCLUSION

The Court should:

1. **STRIKE** Exhibit A;
2. **DISREGARD** arguments relying on it;
3. **SANCTION** Defendants for abuse of process under *Chambers v. NASCO*.

Respectfully submitted,

/s/ Christopher Jonas Brooks

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FOOTNOTES

¹ See *Chambers v. NASCO, Inc.*, 501 U.S. 32, 46 (1991) (misusing litigation tools undermines judicial integrity).

² Local Rule 7.1 (W.D.N.C.) requires motions to "state with particularity the grounds" — a standard Plaintiff met.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed/ delivered to the following individuals at the addresses listed:

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This the 28th Day of May 2025

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